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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,804	12/24/2003	Joung-Hwan Cho	P24622	9794

7055 7590 12/16/2004

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RESTON, VA 20191

EXAMINER

LUGO, CARLOS

ART UNIT	PAPER NUMBER
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3676

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/743,804

Applicant(s)

CHO, JQUNG-HWAN

Examiner

Carlos Lugo

Art Unit

3676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because of the phrase "the present invention" in line 2. Correction is required. See MPEP § 608.01(b).
3. The specification is objected to because of the following informalities:
 - Page 3 Lines 4 and 6; Page 5 Lines 10-12,14 and 15; Page 6 Line 16;and in Page 7 Line 17, change "locklever" to -lock lever-.

Appropriate correction is required.

Claim Objections

4. **Claim 1 is objected** to because of the following informalities:

- Claim 1 Lines 2 and 4, change "locklever" to -lock lever-.
- Claim 1 Line 4, change "at its side" to -at a side of it-.
- Claim 1 Line 7, change "at its upper side" to -at an upper side-.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

6. **Claims 1-3 are rejected** under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "a driving rod...and moved inward in a state protruding to one side surface of the glove box by rotation of the driving rotary gear" in lines 6-9. It is unclear how the driving rod (40) when is moved inwardly by the driving rotary gear (30) protrudes to one side of the glove box. According to the drawings, when the driving rotary gear (30) moves the driving rod (40), the driving rod moves inwardly from a state where the driving rod is protruding to a side of the glove box.

Therefore, in order to continue with the examination, this limitation will be considered as moving inwardly from a state where the driving rod is protruding to a side of the glove box.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claim 1 is rejected** under 35 U.S.C. 103(a) as being unpatentable over US Pat No 5,826,922 to Wernig in view of US Pat No 4,476,700 to King and further in view of US Pat No 722,162 to Louis.

Regarding claim 1, Wernig discloses a system for operating a rod comprising a bar shaped lock lever (41) connected to a rear side of a knob (4); a driving rotary gear (44 and 45) rotated by the lock lever and provided with a pinion gear at a side of it; a driving rod (16) provided with a first rack gear (26) engaged and rotated with the pinion gear of the driving rotary gear; and a driven rod (15) provided with a driven rack gear (25).

However, Wernig fails to disclose that the system comprises a rack system wherein the driving rod includes two sets of rack gears, having one connected to the driving rotary gear and the other one to a driven rotary gear. The driven rotary gear is then connected to the driven rod so as when the driving rotary gear moves, it will move the both rods.

King teaches that it is well known in the art to have a rack system having a lock lever (at 16) with a pinion gear (20) connected to a first rack gear of a driving rod (24). The driving rod includes a second rack gear (26) at an upper side that is

connected to a side driven rotary gear (28). The other side of the driven rotary gear is then connected to a driven rack gear (31) of a driven rod (30) so as when the driving rotary gear moves, it will move the both rods.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a rack system, as taught by King, into a device as described by Wernig, in order to move both rods.

Also, Wernig fails to disclose the use of one return member with one end fixed to the driving rod and the other fixed to the embodiment. Wernig discloses that each rod have their own return member (501 and 521)

Louis teaches that it is well known in the art to have a mechanism that includes a driving rotary member to move two rods that use a return member (14) with one end fixed to the driving rod and the other fixed to the embodiment.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to use one return member, as taught by Louis, into a device as described by Wernig, in order to project the rods.

Allowable Subject Matter

9. **Claims 2 and 3 would be allowable** if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Reasons For Allowable Subject Matter

10. The following is an examiner's statement of reasons for allowable subject matter:

Claims 2 and 3 presents allowable subject matter over the prior art of record because the teachings of the references taken as a whole do not teach or render obvious the combination set forth, including that the driving rotary gear is provided with a stopper that limits movement distance of the driving rod when the stopper is caught by one end of the driving rod (claim 2) and that the system includes a guide plate provided with a hook that fixes of end of the return member and a hooking groove for guiding the driving rod (claim 3).

As to claim 2, Wernig and King discloses that the driving rotary gear can have a stop (the end of the pinion gear), however, Wernig and King fails to disclose that it limits movement distance of the driving rod when the stopper is caught by one end of the driving rod.

As to claim 3, Wernig discloses a guide plate (18 and 19), however, the guide plate is not design with hooks that fixes of end of the return member and a hooking groove for guiding the driving rod.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carlos Lugo whose telephone number is 703-305-9747. The examiner can normally be reached on 9-6pm EST.

Art Unit: 3676


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on 703-308-2686. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5771.

C.L.

Carlos Lugo
AU 3676

December 9, 2004


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